

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

THOMAS S. WERBIE,

Plaintiff,

and

Civil Action No. 05-C-0340

**GOLDEN RULE INSURANCE COMPANY,
a foreign insurance corporation, and THE
NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY, a Wisconsin
insurance corporation,**

Involuntary Plaintiffs,

v.

MERCK & CO., INC., a foreign corporation,

Defendant.

**STIPULATION AND ORDER DISMISSING
THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, Thomas S. Werbie, Involuntary Plaintiffs, Golden Rule Insurance Company and The Northwestern Mutual Life Insurance Company (hereinafter “Northwestern Mutual”), and Defendant, Merck & Co., Inc., through their undersigned counsel, that Northwestern Mutual be, and hereby is, dismissed with prejudice from this action, without costs to any party.

Dated: May 2, 2005

By: s/David W. Perez
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Dated: May 19, 2005

By: /s William M. Cannon
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Dated: May 6, 2005

By: s/Todd M. Weir
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Dated: May 9, 2005

By: s/Patrick A. O'Neil
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SO ORDERED:

Dated: May 20, 2005

s/ Rudolph T. Randa
Honorable Chief Judge Rudolph T. Randa